

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER RIGHTS AND  
OFFICE OF DELTA WATERMASTER  
FEBRUARY 20, 2018**

**ITEM 6**

**SUBJECT**

ORDER FOR ADDITIONAL INFORMATION IN THE MATTER OF DIVERSION OF WATER FROM THE SACRAMENTO AND SAN JOAQUIN RIVER WATERSHEDS - ON ORDER WR 2015-0002-DWR.

**DISCUSSION**

On February 4, 2015, at the peak of the historic 2011-2016 California drought, the Division of Water Rights (Division) issued [Order WR 2015-0002-DWR](#) (Order) to 445 water right claimants in the Delta and its watersheds (Sacramento and San Joaquin Rivers). Respondents, including both riparian and pre-1914 claimants, were required to submit information detailing: the basis of right to divert, point of diversion, and place of use for each claim; the forecast volume of diversions, by month, in 2015, and; actual monthly diversion volumes for 2015. In total, the Informational Order requested information from 1,061 claims of right.

The information obtained through issuance of the Order was critical in managing the state's water supply during a time of shortage, and will serve as a planning tool to help prioritize resource needs, respond to future shortages, and address unlawful diversions of water, if any. In 2015 the Division relied on the data received from the Order to clarify anticipated supply and demand for water, and to help refine the Division's water availability analysis. The water availability analysis was updated monthly throughout the 2015 irrigation season, and the diversion data reported to the Board was critical in accurately determining the amount of water available for diversion and order of curtailments.

The information on basis of right will also help the Division prioritize resources during future droughts. Staff recently released additional information to help clarify basis of right claims, including a spreadsheet summarizing the results of the Division's review of responses by recipients of the Order. Staff have assigned each of the responses to one of four categories, based on the extent to which a claimant's response provides support for the water right claim:

- Category 1: Responses that do not provide information supporting all the elements of the claimed water right.
- Category 2: Responses that provide information supporting many but not all of the elements of the claimed water right.
- Category 3: Responses that provide information supporting each of the elements of the claimed water right.
- Category 4: Responses that indicate an alternative basis of right to divert water (usually a water supply contract) in addition to the underlying water right claim.

In many instances, Division staff were able to identify other sources of information to supplement responses and provide additional information on the underlying water right claim. In addition to the spreadsheet, the Division will also release background information that was either provided by the claimants or by the Division. The information will allow the public to review, by statement number, both the information submitted in response to the Order and other pertinent material that staff were able to locate and connect with individual water right claims. Staff will continue to supplement the dataset as more information is submitted or becomes available; claimants are encouraged to submit additional information that was not submitted in 2015. Additional data will help the Board refine its dataset, and help the Board better administer the state's water right system during future shortage conditions.

The information provided by the Division neither validates nor invalidates any specific water right claim, nor does the information identify unlawful diversions. The information does not identify candidates for retroactive enforcement action. Rather, the review categorizes the information and identifies claims for which additional information could be useful in order to properly administer the water rights system in the Delta watershed. The review will help prioritize deployment of resources, plan for future shortages, and protect the priority of water rights. When future drought conditions arise, the Board can use the responses and supplemental information developed by Division staff to notify water users of water conditions that may require them to curtail water use based on their individual priorities and existing law.

#### **POLICY ISSUE**

None (Information Item).

#### **FISCAL IMPACT**

None (Information Item).

#### **REGIONAL BOARD IMPACT**

None (Information Item).

#### **STAFF RECOMMENDATION**

None (Information Item).